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 ACTION HA-09

INFO	LOG-00	AF-01	AID-01	CIAE-00	C-01	OASY-00	DODE-00
	EB-01	EUR-01	H-01	TEDE-00	INR-00	IO-16	LAB-01
	L-01	ADS-00	NSAE-00	NSCE-00	OIC-02	OMB-01	PA-01
	PM-00	PRS-01	P-01	SCT-03	SNP-00	SP-00	SR-00
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 TO SECSTATE WASHDC IMMEDIATE 7077

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DEPARTMENT FOR HA ASSISTANT SECRETARY SHATTUCK

ALSO FOR AF AND AF/C FROM DAVID RAWSON

E.O. 12356: N/A
 TAGS: PREL, PHUM, RW
 SUBJECT: INTERNATIONAL JURIST COMMENTS ON HUMAN RIGHTS
 INQUIRY IN RWANDA

1. ON MAY 12, I MET AT THE HAGUE WITH JUSTICE RAYMOND RANJEVA, ONE OF TWO AFRICAN JURISTS AT THE INTERNATIONAL COURT, TO EXPLORE INFORMALLY THE NOTION OF AN INTERNATIONAL INQUIRY INTO GROSS VIOLATIONS OF HUMAN RIGHTS IN RWANDA. RANJEVA NOTED THE CONCEPTUAL,
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 OPERATIONAL AND POLITICAL DIFFICULTIES OF SUCH AN ENDEAVOR. THE QUESTION OF GENOCIDE, HE REMARKED, HAD SPECIFIC LEGAL RAMIFICATIONS THAT COULD WELL CONSTRAIN THE INQUIRY'S SCOPE. RANJEVA ALSO BELIEVED IT WOULD BE DIFFICULT TO GET COOPERATION FROM BELLIGERENTS IF THE INTENT OF THE INQUIRY WERE POINTED TOWARD CONDEMNATION OF LEADERSHIP OF EITHER SIDE. YET, HE REMARKED, INDIVIDUAL ACCOUNTABILITY WAS NECESSARY IF CULPABILITY WERE NOT TO BE

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UNITED STATES DEPARTMENT OF STATE
 REVIEW AUTHORITY: ARCHIE M BOLSTER
 DATE/CASE ID: 17 MAR 2004 200303979

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2. OPERATIONALLY, RANJEVA POINTED TO THE DIFFICULTY OF ORGANIZING AND ADMINISTRATING SUCH AN INQUIRY WITHIN A BELLIGERENT SITUATION. HE NOTED THE TROUBLE WHICH THE YUGOSLAV WAR CRIMES TRIBUNAL HAD IN GETTING ITSELF SET UP. POLITICALLY, IT WAS IMPORTANT, HE THOUGHT, CAREFULLY TO REFINE THE INTENT AND FOCUS OF A HUMAN RIGHTS INQUIRY TOWARD RAISING THE CONSCIOUSNESS OF RWANDANS THEMSELVES TO WHAT HAS HAPPENED IN THEIR COUNTRY. A HUMAN RIGHTS INQUIRY COULD EASILY BECOME AN INSTRUMENT FOR VENGEANCE, RATHER THAN A MEANS OF NATIONAL RECONCILIATION.

3. DESPITE HIS CAVEATS ABOUT A HUMAN RIGHTS INQUIRY, RANJEVA AGREED TO ITS IMPORTANCE, IF PROPERLY ORGANIZED AND FOCUSED, IN THE RWANDAN CONTEXT. WHEN ASKED WHO MIGHT HEAD UP SUCH AN ENDEAVOR, HE SAID IT SHOULD BE A MATURE PERSON WHO HAD NOTHING TO GAIN PERSONALLY OR POLITICALLY BY SUCH A DELICATE, HIGH-PROFILE TASK. HIS FIRST CHOICE TO CHAIR THE INQUIRY WOULD BE FORMER VICE-PRESIDENT OF THE INTERNATIONAL COURT AND MEMBER OF THE INTERNATIONAL OLYMPIC COMMITTEE, SENEGAL'S KEBE MBAYE. OTHER AFRICAN JURISTS RANJEVA MENTIONED INCLUDED AHMED MAHIOU-ALGERIAN

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MEMBER OF THE INTERNATIONAL LAW COMMISSION, VICTOR RAMANTRA-FORMER PROCUREUR GENERAL OF MADAGASCAR, RENEE DENY-SIGNI-HUMAN RIGHTS SPECIALIST FROM COTE D'IVOIRE, GERARD KAMANDA-A JURIST FROM ZAIRE, CHIEF AJIBOLA-FORMER ATTORNEY GENERAL OF NIGERIA, AND JOE WAIROBA-A TANZANIAN JURIST.

4. I HOPE THE ABOVE MAY BE USEFUL IN YOUR PLANNING FOR THE INTERNATIONAL INQUIRY INTO THE SITUATION IN RWANDA.
REGARDS.

BLINKEN

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